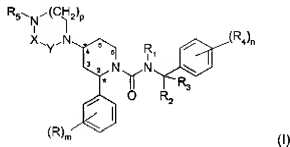


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In the Claims:

Please cancel claims 35-36.

1. (Previously Presented) A compound of formula (I)



wherein

R is halogen or C<sub>1-4</sub> alkyl;R<sub>1</sub> is hydrogen or C<sub>1-4</sub> alkyl;R<sub>2</sub> is hydrogen, C<sub>1-4</sub> alkyl;R<sub>3</sub> is hydrogen, C<sub>1-4</sub> alkyl;R<sub>4</sub> is trifluoromethyl, C<sub>1-4</sub> alkyl, C<sub>1-4</sub> alkoxy, trifluoromethoxy or halogen;R<sub>5</sub> is hydrogen, C<sub>1-4</sub> alkyl, C<sub>3-7</sub> cycloalkyl, C(O)R<sub>6</sub> or S(O)<sub>2</sub>R<sub>6</sub>;R<sub>6</sub> is C<sub>1-4</sub> alkyl or C<sub>3-7</sub> cycloalkyl;

m is zero or an integer from 1 to 3;

n is an integer from 1 to 3;

p is an integer from 1 to 2;

X and Y are independently C(O) or CH<sub>2</sub>;

provided that

i) X and Y are not both C(O) and

ii) when X and Y are both CH<sub>2</sub> and p is 1, R<sub>5</sub> is not hydrogen, C<sub>1-4</sub> alkyl or C(O)R<sub>6</sub>;

or a pharmaceutically acceptable salt thereof.

2. (Previously Presented) A compound as claimed in claim 1 wherein m is zero or an integer from 1 to 2.

3. (Previously Presented) A compound as claimed in claim 1 wherein R<sub>1</sub> is a methyl group.

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4. (Previously Presented) A compound as claimed in claim 1 wherein  $R_2$  is a hydrogen atom or a methyl group.
5. (Previously Presented) A compound as claimed in claim 1 wherein  $R_3$  is a hydrogen atom or a methyl group.
6. (Previously Presented) A compound as claimed in claim 1 wherein  $R_4$  is a trifluoromethyl group or halogen.
7. (Previously Presented) A compound as claimed in claim 1 wherein  $R_5$  is hydrogen, methyl cyclopropyl,  $C(O)CH_3$  or  $S(O)_2CH_3$ .
8. (Previously Presented) A compound as claimed in claim 1 wherein p is 1.
9. (Previously Presented) A compound as claimed in claim 1 wherein R is at the 2 and/or 4 position in the phenyl ring .
10. (Previously Presented) A compound as claimed in claim 1 wherein n is 2 and the groups  $R_4$  are at the 3 and 5 position in the phenyl ring.
11. (Previously Presented) A compound as claimed in claim 1 wherein  
R is fluorine and/or  $C_{1-4}$  alkyl;  
 $R_1$  is a methyl group;  
 $R_2$  is a hydrogen atom or a methyl group;  
 $R_3$  is a hydrogen atom or a methyl group;  
 $R_4$  is trifluoromethyl;  
 $R_5$  is hydrogen, methyl, cyclopropyl,  $C(O)CH_3$  or  $S(O)_2CH_3$ ;  
m is 1 or 2;  
n is 2;  
p is 1.
12. (Previously Presented) A compound selected from

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2-(R)-(4-Fluoro-2-methyl-phenyl)-4-(R)-(3-oxo-piperazin-1-yl)-piperidine-1-carboxylic acid, (3,5-bis-trifluoromethyl-benzyl)-methylamide;

2-(R)-(4-Fluoro-2-methyl-phenyl)-4-(S)-(3-oxo-piperazin-1-yl)-piperidine-1-carboxylic acid, (3,5-bis-trifluoromethyl-benzyl)-methylamide;

2-(R)-(4-Fluoro-2-methyl-phenyl)-4-(R)-(4-methyl-3-oxo-piperazin-1-yl)-piperidine-1-carboxylic acid, 1-(3,5-bis-trifluoromethyl-benzyl)-methylamide;

2-(R)-(4-Fluoro-2-methyl-phenyl)-4-(S)-(4-methyl-3-oxo-piperazin-1-yl)-piperidine-1-carboxylic acid, 1-(3,5-bis-trifluoromethyl-benzyl)-methylamide;

2-(R)-(4-Fluoro-2-methyl-phenyl)-4-(S)-(4-methyl-3-oxo-piperazin-1-yl)-piperidine-1-carboxylic acid, [1-(R)-(3,5-bis-trifluoromethyl-phenyl)-ethyl]-methylamide;

2-(R)-(4-Fluoro-2-methyl-phenyl)-4-(R)-(2-oxo-piperazin-1-yl)-piperidine-1-carboxylic acid (3,5-bis-trifluoromethyl-benzyl)-methylamide;

2-(4-Fluoro-2-methyl-phenyl)-4-(S)-(2-oxo-piperazin-1-yl)-piperidine-1-carboxylic acid, (3,5-bis-trifluoromethyl-benzyl)-methylamide;

2-(4-Fluoro-2-methyl-phenyl)-4-(S)-(2-oxo-piperazin-1-yl)-piperidine-1-carboxylic acid, (3,5-bis-trifluoromethyl-benzyl)-methylamide;

2-(R)-(4-Fluoro-2-methyl-phenyl)-4-(S)-(2-oxo-4-methyl-piperazin-1-yl)-piperidine-1-carboxylic acid, (3,5-bis-trifluoromethyl-benzyl)-methylamide;

2-(R)-(4-Fluoro-2-methyl-phenyl)-4-(S)-(4-methyl-2-oxo-piperazin-1-yl)-piperidine-1-carboxylic acid, [1-(R)-(3,5-bis-trifluoromethyl-phenyl)-ethyl]-methylamide;

2-(R)-(4-Fluoro-2-methyl-phenyl)-4-(S)-(4-methyl-2-oxo-piperazin-1-yl)-piperidine-1-carboxylic acid, [1-(R)-(3,5-bis-trifluoromethyl-phenyl)-ethyl]-methylamide;

2-(R)-(4-Fluoro-2-methyl-phenyl)-4-(R)-(4-cyclopropyl-3-oxo-piperazin-1-yl)-piperidine-1-carboxylic acid, 1-(3,5-bis-trifluoromethyl-benzyl)-methylamide;

2-(R)-(4-Fluoro-2-methyl-phenyl)-4-(S)-(4-cyclopropyl-3-oxo-piperazin-1-yl)-piperidine-1-carboxylic acid, 1-(3,5-bis-trifluoromethyl-benzyl)-methylamide;

2-(R)-(4-Fluoro-2-methyl-phenyl)-4-(S)-(1-methanesulfonyl-piperazin-1-yl)-piperidine-1-carboxylic acid, 1-(3,5-bis-trifluoromethyl-benzyl)-methylamide;

2-(R)-(4-Fluoro-2-methyl-phenyl)-4-(S)-(1-methanesulfonyl-piperazin-1-yl)-piperidine-1-carboxylic acid, 1-[(R)-(3,5-bis-trifluoromethyl-phenyl)-ethyl]-methylamide;

and pharmaceutically acceptable salts and solvates thereof.

13-15. (Canceled.)

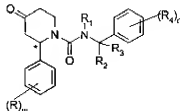
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16. (Previously Presented) A pharmaceutical composition comprising a compound as claimed in claim 1 in a mixture with one or more pharmaceutically acceptable carriers or excipients.

17-18. (Canceled.)

19-24. (Cancelled)

25. (Previously Presented) A process for preparing a compound according to claim 1, wherein X is CH<sub>2</sub> or C(O) and Y is CH<sub>2</sub>, said process comprising reacting a compound of formula (II):



(II)

with compound of formula (III):



(III)

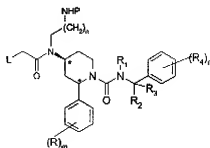
in the presence of a suitable metal reducing agent;

followed where necessary or desired by one or more of the following steps:

- i) removing any protecting group;
- ii) isolating the compound as a salt or thereof; or
- iii) separating the compound into enantiomers thereof.

26. (Previously Presented) A process for preparing a compound according to claim 1, wherein Y is C(O), said process comprising cyclizing a compound of formula (VII),

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(VII)

wherein P is a nitrogen protecting group and L is a suitable leaving group;  
followed where necessary or desired by one or more of the following steps:

- i) removing any protecting group;
- ii) isolating the compound as a salt thereof;
- iii) separating the compound into enantiomers thereof.

27. (Previously Presented) A method for the treatment of a depressive state in a mammal comprising administering an effective amount of a compound as claimed in claim 1.

28. (Previously Presented) The method according to claim 27 wherein said mammal is man.

29. (Previously Presented) A method for the treatment of anxiety in a mammal comprising administering an effective amount of a compound as claimed in claim 1.

30. (Previously Presented) The method according to claim 29 wherein said mammal is man.

31. (Previously Presented) A method for treatment of emesis in a mammal comprising administering an effective amount of a compound as claimed in claim 1.

32. (Previously Presented) The method according to claim 31 wherein said mammal is man.

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33. (Previously Presented) A method for treatment of a sleep disorder in a mammal comprising administering an effective amount of a compound as claimed in claim 1.

34. (Previously Presented) The method according to claim 33 wherein said mammal is man.

35-36. (Canceled.)